

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - DAYTON**

<b>OLWIN METAL FABRICATION LLC,</b>	)	<b>CASE NO: 3:22-CV-00333-WHR-PBS</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE WALTER H. RICE</b>
	)	
<b>vs.</b>	)	<b>MAGISTRATE JUDGE PETER B.</b>
	)	<b>SILVAIN, JR.</b>
<b>MULTICAM, INC., et al.,</b>	)	
	)	<b>JOINT MOTION TO EXTEND</b>
<b>Defendants.</b>	)	<b>PRELIMINARY PRETRIAL CASE</b>
	)	<b>SCHEDULE</b>
	)	
	)	
	)	

Plaintiff, Olwin Metal Fabrication, LLC, and Defendants, MultiCam, Inc. and MultiCam Great Lakes, Inc. (collectively, the “Parties”), respectfully request that this Court grant an extension of the current Preliminary Pretrial Conference Schedule. The Parties proposed the existing schedule as Defendants’ Motions to Dismiss were being briefed. To date, both Defendants’ Motions to Dismiss remain pending<sup>1</sup>, leaving the full scope of the claims and parties undefined. The Parties now jointly request an extension of the existing case management schedule to save costs as the full scale of the case is determined.

The current schedule establishes the following deadlines, in part:

Plaintiff’s Expert Disclosure:            March 31, 2023

Defendants’ Expert Disclosure:            April 30, 2023

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<sup>1</sup> Defendant MultiCam Great Lakes, Inc.’s Partial Motion to Dismiss was fully briefed in the previously removed case, Number 3:22-CV-00100-MJN-CHG, and remains pending for this Court’s review.

Rebuttal Experts:	May 31, 2023 and June 30, 2023
Requests for Admissions:	May 15, 2023
Lay Witness Disclosures:	June 30, 2023
Discovery Cut-Off:	July 31, 2023
Status Conference for ADR:	August 8, 2023
Summary Judgment Cut-Off:	September 8, 2023
Final Pretrial:	December 26, 2023
Trial:	January 8, 2024

The Parties request that the schedule be extended by approximately ninety (90) days, thereby allowing time for decisions on Defendants' respective Motions to Dismiss. This request is not being made for the purposes of unwarranted delay, but instead is predicated on the Parties' desire to preserve costs and resources while the claims and parties are determined. In fact, the Parties have not yet engaged in discovery, except as it relates to jurisdiction, and the defendants have not yet inspected the machine at issue. The Parties also will need to request documents related to the claims, once determined, and take depositions. The existing schedule, and particularly the fast-approaching expert deadlines, does not allow sufficient time to complete the necessary tasks.

Therefore, the Parties respectfully request that this Court issue an Order modifying the current Pretrial Scheduling Order.

Respectfully Submitted,

/s/ Lindsey K. Deck (per email consent)

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was filed electronically and will be served via the Court's electronic docket upon all counsel of record.

/s/ Kathleen Fox

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*One of the Attorneys for Defendant*